

**COMPANIES ACT 2006 (CONSEQUENTIAL HANDBOOK AMENDMENTS NO 2)  
INSTRUMENT 2008**

**Powers exercised**

- A. The Financial Services Authority makes this instrument in the exercise of:
- (1) the following powers and related provisions in the Financial Services and Markets Act 2000 (“the Act”):
    - (a) section 138 (General rule-making power);
    - (b) section 156 (General supplementary power); and
    - (c) section 157(1) (Guidance); and
  - (2) the other powers and related provisions listed in Schedule 4 (Powers exercised) to the General Provisions of the Handbook.
- B. The rule-making powers referred to above are specified for the purpose of section 153(2) (Rule-making instruments) of the Act.

**Commencement**

- C. This instrument comes into force on 1 October 2008.

**Amendments to the Handbook**

- D. The modules of the FSA Handbook of rules and guidance listed in column (1) below are amended in accordance with the Annexes to this instrument listed in column (2).

(1)	(2)
Glossary of definitions	Annex A
Interim Prudential sourcebook for Investment Business (IPRU(INV))	Annex B
Credit Unions sourcebook (CRED)	Annex C

**Citation**

- E. This instrument may be cited as the Companies Act 2006 (Consequential Handbook Amendments No 2) Instrument 2008.

By order of the Board  
25 September 2008

## Annex A

### Amendments to the Glossary of definitions

In this Annex, underlining indicates new text and striking through indicates deleted text.

- group*
- (1) ... A and any *person* who is:
- (a) a *parent undertaking* of A;
  - ...
  - (d) a *parent undertaking* of a *subsidiary undertaking* of A;
  - ...
  - (g) if A or an *undertaking* in (a) or (d) is an *incorporated friendly society*, a *body corporate* of which that *friendly society* has joint control (as defined in section 13(9)(c) or (cc) of the Friendly Societies Act 1992); in this definition:
    - (i) “participating interest” has the same meaning as in:
      - ...
      - (C) paragraph 8 of Schedule 7 to the Small Companies and Groups (Accounts and Directors’ Report) Regulations 2008 (SI 2008/409) where applicable; or
      - (D) paragraph 8 of Schedule 4 to the Large and Medium-sized Limited Liability Partnerships (Accounts) Regulations 2008 (SI 2008/1913) where applicable; or
      - (E) paragraph 8 of Schedule 5 to the Small Limited Liability Partnerships (Accounts) Regulations 2008 (SI 2008/1912) where applicable;
- In (A), ~~(B)~~ and ~~(C)~~ to (E), the meaning also includes an interest held by an individual which would be a participating interest for the purposes of those provisions if he were an *undertaking*.
- ...
- large company*
- a *body corporate* which does not qualify as a small company under section 247 of the Companies Act 1985, or section 382 of the Companies Act 2006 as applicable.
- ...

## Annex B

### Amendments to the Interim Prudential sourcebook for Investment Business (IPRU(INV))

In this Annex, underlining indicates new text and striking through indicates deleted text.

#### FIRMS TO WHICH RULES 3-61 TO 3-182 APPLY

3-60(3A) R (a) Net current assets for the purposes of rule 3-60(3)R(b) shall be as calculated for the purposes of producing a balance sheet in accordance with the following provisions, as applicable:

(i) ...

(iii) Schedule 1 to the Large and Medium-sized Companies and Groups (Accounts and Reports) Regulations 2008 (SI 2008/410);~~or~~

(iv) Schedule 1 to the Small Limited Liability Partnerships (Accounts) Regulations 2008 (SI 2008/1912); or

(v) Schedule 1 to the Large and Medium-sized Limited Liability Partnerships (Accounts) Regulations 2008 (SI 2008/1913).

...

3-60(4A) R (a) Net current assets for the purposes of rule 3-60(4)R(b) shall be as calculated for the purposes of producing a balance sheet in accordance with the following provisions as applicable:

(i) ...

(iii) Schedule 1 to the Large and Medium-sized Companies and Groups (Accounts and Reports) Regulations 2008 (SI 2008/410);~~or~~

(iv) Schedule 1 to the Small Limited Liability Partnerships (Accounts) Regulations 2008 (SI 2008/1912); or

(v) Schedule 1 to the Large and Medium-sized Limited Liability Partnerships (Accounts) Regulations 2008 (SI 2008/1913).

...

3-60(5A) R (a) Net current assets for the purposes of rule 3-60(5)R(b) shall be as calculated for the purposes of producing a balance sheet in accordance with the following provisions as applicable:

(i) ...

- (iii) Schedule 1 to the Small Companies and Groups (Accounts and Directors' Report) Regulations 2008 (SI 2008/409);or
- (iii) Schedule 1 to the Small Limited Liability Partnerships (Accounts) Regulations 2008 (SI 2008/1912); or
- (iv) Schedule 1 to the Large and Medium-sized Limited Liability Partnerships (Accounts) Regulations 2008 (SI 2008/1913).

...

## APPENDIX 1- GLOSSARY OF TERMS FOR IPRU(INV) 3

...

*annual  
financial  
statements*

means statements drawn up in accordance with whichever of the following is applicable at the *firm's annual accounting reference date*:

- (i) ...
- (iv) ~~*international accounting standards.*~~ Schedule 1 to the Small Limited Liability Partnerships (Accounts) Regulations 2008 (SI 2008/1912); or
- (v) Schedule 1 to the Large and Medium-sized Limited Liability Partnerships (Accounts) Regulations 2008 (SI 2008/1913); or
- (vi) *international accounting standards.*

## Annex C

### Amendments to the Credit Unions sourcebook (CRED)

#### CRED 13 Annex 1C Qualifications approved by the FSA (and the Registry of Friendly Societies)

D ...

2 ...

(2) “Participating interest” has the same meaning as in:

(i) ...

(ii) paragraph 8 of Schedule 7 to the Small Companies and Groups (Accounts and Directors' Report) Regulations 2008 (SI 2008/409); where applicable; or

(iii) paragraph 11(1) of Schedule 10 to the Large and Medium-sized Companies and Groups (Accounts and Reports) Regulations 2008 (SI 2008/410) where applicable; or

(iv) paragraph 8 of Schedule 5 to the Small Limited Liability Partnerships (Accounts) Regulations 2008 (SI 2008/1912) where applicable; or

(v) paragraph 8 of Schedule 4 to the Large and Medium-sized Limited Liability Partnerships (Accounts) Regulations 2008 (SI 2008/1913).

In (i) ~~and (ii)~~ to (v) above, the meaning also includes an interest held by an individual which would be a participating interest for the purposes of those provisions if he were taken to be an undertaking.